STEVEN G. CALABRESI

Work Addresses:

Northwestern University
Pritzker School of Law
357 E. Chicago Avenue
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Yale Law School
127 Wall Street
New Haven, CT 06521

EDUCATION:

Yale Law School, J.D. 1983
Note & Topics Editor, Yale Law Journal.

Yale College, B.A., History, cum laude 1980

EMPLOYMENT:

2013 - present	**Clayton J. and Henry R. Barber Professor of Law Northwestern University**
1996 - 2013	**Professor of Law, Northwestern University**
2013-2018	**Visiting Professor of Law, Yale University**
2010-2015	**Visiting Professor of Political Science, Brown University**
2012	**Joseph R. Weisberger Visiting Professor of Law, Roger Williams University School of Law**
2003-05	**Resident Scholar, Harvard Law School.**
1993 - 1996	**Associate Professor of Law, Northwestern University School of Law.**
1990 - 1993	**Assistant Professor of Law, Northwestern University School of Law.**

1988 - 1990	**Research Associate to Judge Robert H. Bork, American Enterprise Institute for Public Policy Research,** Washington, D.C. Assisted in research and preparation of Robert H. Bork's best-selling book, The Tempting of America: The Political Seduction of the Law.
1987 - 1988	**Law Clerk to the Honorable Antonin Scalia, Supreme Court of the United States, Washington, D.C.**
1987	**Special Assistant to T. Kenneth Cribb, Jr., the Assistant to President Reagan for Domestic Affairs, Second Floor, West Wing, The White House, Washington, D.C.** Worked on the full range of domestic policy issues.
1985 - 1987	**Special Assistant to Attorney General Edwin Meese III, United States Department of Justice, Washington, D.C.** Worked on judicial selection and constitutional law issues.
1984 - 1985	**Law Clerk to the Honorable Robert H. Bork,** United States Court of Appeals for the District of Columbia Circuit, Washington, D.C.
1983 - 1984	**Law Clerk to the Honorable Ralph K. Winter,** United States Court of Appeals for the Second Circuit, New Haven, Ct.
Summer 1982	**Summer Associate**, Cleary, Gottlieb, Steen & Hamilton, New York, NY.
Summer 1981	**Summer Associate**, Pierson, Semmes, Crolius & Finley, Washington, D.C.
1979 - 1980	**Legislative Correspondent to Senator John H. Chafee (R-RI), United States Senate,** Washington, D.C.
Summer 1978	**Summer Intern to Governor Joseph Garrahy (D-RI)**, Providence, RI.

Summer 1977 **Research Assistant to Professor Israel Diamond**,
Brown University Medical School, Providence, RI.

PUBLICATIONS:

Book Projects

The Unitary Executive: Presidential Power from Washington to Bush (with Christopher S. Yoo) Yale University Press 2008.

Originalism: A Quarter Century of Debate. Regnery Press 2007Edited book with my lengthy introduction.

Constitutional Law Casebook (with Judge Michael McConnell, Prof. Michael Stokes Paulsen, and Samuel Bray) 2010 Foundation Press. Third Edition 2017.

The U.S. Supreme Court and Comparative Constitutional Law (with Bradley Silverman & Joshua Braver) 2016 Foundation Press

The Origins and Growth of Judicial Review: Lessons from Comparative Constitutional Law (forthcoming).

Born Free and Equal: The Original Meaning of the Fourteenth Amendment (forthcoming).

Justice Antonin Scalia: The Inside Story (forthcoming).

Law Review and Medical Journal Publications

Born Free and Equal: Individual Rights under State Constitutions in 2018, 1868, and 1791; (forthcoming **Notre Dame L. Rev.** 2018) (with James Lindgren; Hannah Begely; Katherine L. Dore; and Sarah E. Agudo)

The 1930's and the Modern Administrative State, (with Gary Lawson) (forthcoming 2018)

The Free Exercise of Religion (forthcoming 2018 **N.Y. J. of Law & Liberty**)

The Abraham Lincoln Lecture on Constitutional Law, 112 **Nw. U. L. Rev.** 61-62 (2017)

An Originalist Defense of Plyler v. Doe 2017 **B.Y.U. L. Rev.** 225-329 (with Lena M. Barsky)

On Originalism and Liberty, Annual Simon Lecture at the Cato Institute 2015-2016 **Cato Sup. Ct. Rev.** 17 (2015-2016)

Originalism and Same Sex Marriage, 70 **University of Miami Law Review** 648-707 (2016) (with Hannah M. Begley)

The Gay Marriage Cases and Federal Jurisdiction, 70 **University of Miami Law Review** 708-756 (2016) (with Genna L. Sinel)

Justice Oliver Wendell Holmes and Chief Justice Roberts' Dissent in Obergefell v. Hodges, 8 **Elon Law Review** 1 (2016) (with Hannah M. Begley)

Friedrich A. Hayek, the U.S. Constitution, and Institutional Design, 48 **Arizona State Law Journal** 231 (2016)

The Unknown Achievements of Antonin Scalia, 39 **Harv. J. L. & P** 575 (2016)

Does Institutional Design Make a Difference? 109 **Northwestern University Law Review** 577 (2015)

The U.S. and the State Constitutions: An Unnoticed Dialogue, 9 **New York University Journal of Law & Liberty** 685 (2015) (with Sarah E. Agudo; and Katherine L. Dore)

*Hayek and the Citation of Foreign L*aw: A Response to Professor Jeremy Waldron, 2015 **Michigan State Law Review** 1 (with Bradley Silverman)

The Jurisprudence of Justice Antonin Scalia: A Response to Professor Bruce Allen Murphy and Professor Dustin Driver, 9 **New York Journal of Law and Liberty 793** (2015) (with Justin Braga)

On Liberty and the Fourteenth Amendment: The Original Understanding of the Lockean Natural Rights Guarantees, 93 **Texas Law Review** 1299 (2015) (with Sofia M. Vickery)

Judge Robert H. Bork and Professor Bruce Ackerman: An Essay on the Tempting of America 13 **Ave Maria Law Review** 47 (2015) (with Justin Braga)

Originalism and Brown v. Board of Education, 2014 **Michigan State Law Review** 429 (with Michael Perl)

On Liberty, Equality, and the Constitution: A Review of Richard A. Epstein's The Classical Liberal Constitution, 8 **New York University Journal of Law and Liberty** 839-960 (2014).

Federalism and Subsidiarity: Perspectives from Law, 1;-/23-189 in **Nomos LV Federalism and Subsidiarity** (James E. Fleming & Jacob T. Levy eds. 2014) (with Lucy D. Bickford).

The Rule of Law as a Law of Law, 90 **Notre Dame L. Rev.** 483 (2014) (with Gary Lawson)

Judge Robert H. Bork and Constitutional Change: An Essay on Ollman v. Evans and Novak, 80 **U. Chi. L. Rev**. Dialogue 155 (2013) (with Lauren Pope)

Freedom of Expression and the Golden Mean, 79 **Brooklyn Law Review** 1005 (2014) symposium on **Corey Brettschneider's "When the State Speaks, What Should it Say?"**

Religion and the Equal Protection Clause: Why the Constitution Requires School Vouchers, 65 **Florida Law Review** 909-1087 (2013) (with Abe Salander)

The Right to Buy Health Insurance Across State Lines: Crony Capitalism and the Supreme Court, 81 **University of Cincinnati Law Review** 1447-1514 (2013) (The 2012 William Howard Taft Memorial Lecture)

Judge Robert H. Bork and Constitutional Change: An Essay on Ollman v. Evans and Novak, 80 **The University of Chicago Law Review Dialogue** 155 (2013) (with Lauren Pope)

Monopolies and the Constitution: A History of Crony Capitalism, 36 **Harvard J. L. & Pub. Pol'y** 983-1097 (2013) (with Larissa C. Leibowitz)

In Memoriam Robert H. Bork, 36 **Harvard J. L. & Pub. Pol'y** 1235-1243 (2013)

An Examination of Substantive Due Process and Judicial Activism, 17 **Texas Rev. of L. & Politics** 316-350 (2013) (printed transcript of Federalist Society Panel Discussion)

Individual Rights Under State Bills of Rights in 1787 & 1791: What Rights are Really Deeply Rooted in American History and Tradition, 85 **Southern California Law Review** 1451-1550 (2012) (with Sarah Agudo & Kat Leahy).

Originalism and Loving v. Virginia, 2012 **Brigham Young University Law Review** 1393-1476 (with Andrea Matthews).

The Constitution and Disdain, 126 **Harv. L. Rev. Forum** 13-20 (2012).

The Rise and Fall of the Separation of Powers, 106 **Northwestern University Law Review** 527-549 (2012) (with Mark Berghausen and Skylar Albertson)

Tribute to Justice John Paul Stevens, 106 **Northwestern University Law Review** 413-416 (2012)

Originalism and Sex Discrimination, 90 **Texas Law Review** 1 (2011) (with Julia Rickert)

The Number of States and the Economics of American Federalism 63 **Florida L. Rev.** 1 to 45 (2011) (with Nicholas Terrell)

Is the Separation of Powers Exportable?, 33 **Harv. J. L. & Pub. Pol'y** 5 to 16 (2010) (with Kyle Bady)

Resolved, the terms of Supreme Court justices should be limited to eighteen years, book chapter in **Debating Reform: Conflicting Perspectives on How to Fix the American Political System** 239-245 **(Richard J. Ellis & Michael Nelson** ed. 2010)

Remove Morrison v. Olsen, on line edition of the **Vanderbilt Law Review** (opening essay and reply) (2009)

The Fatally Flawed Theory of the Unbundled Executive, 93 **Minnesota Law Review** 1696 (2009) (with Nicholas Terrell)

Two Cheers for Professor Balkin's Originalism, 103 **Northwestern University Law Review** 663 (2009) (with Livia Fine)

On Section Five of the Fourteenth Amendment, 11 **University of Pennsylvania Journal of Constitutional Law** 1431 (2009) (with Nicholas Stabile)

Individual Rights Under State Constitutions When the Fourteenth Amendment Was Ratified in 1868: What Rights Are Deeply Rooted in American History and Tradition? 87 **Texas Law Review** 7 (2008) (with Sarah E. Agudo)

Debate, The Great Divorce: The Current Understanding of Separation of Powers and the Original Meaning of the Incompatibility Clause, 157 **University of Pennsylvania Law Review**. PENNUMBRA 134 (2008),http://www.pennumbra.com/debates/pdfs/GreatDivorce.pdf.

Text v. Precedent in Constitutional Law (book chapter of about fifteen double spaced typed pages in the book above on originalism) (Regnery 2007);

Substantive Due Process After Gonzales v. Carhart, 106 **Michigan Law Review** 1517 (2008)

A Critical Introduction to the Originalism Debate, 31 **Harvard Journal of Law and Public Property** 875 (2008)

How to Reverse Government Imposition of Immorality, 31 **Harvard Journal of Law and Public Policy** 85 (2008)

Render Unto Ceasar that Which is Caesar's, and Unto God that Which is God's, 31 **Harvard Journal of Law and Public Policy** 495 (2008)

The Hamdan Case, the Unitary Executive, and the Constitutionality of Jurisdiction Stripping: A Textualist Response to Justice Scalia, 2007 **Columbia Law Review** 1003 (with Gary Lawson)

Text v. Precedent in Constitutional Law, forthcoming chapter in Regnery book on **Originalism: A Quarter Century of Debate** (forthcoming 2007)

The President: Lightening Rod or King? 115 **Yale Law Journal** 2611 (2006) (with James Lindgren)

"A Shining City on a Hill": American Exceptionalsim and the Supreme Court's Practice of Relying on Foreign Law, 86 **Boston University Law Review** 1335-1416 (2006) (symposium issue)

The Legal Significance of Presidential Signing Statements, **Berkeley Electronic Press** (2006) (with Daniel Lev)

Renintroducing Circuit Riding: A Timely Proposal, 90 **University of Minnesota Law Review** 1386- 1416 (2006) (with David C. Presser) (symposium issue)

Text, Precedent, and the Constitution: Some Originalist and Normative Arguments for Overruling Planned Parenthood of Southeastern Pennsylvania v. Casey 22 **Constitutional Commentary** 311-348 (2005) (symposium issue on text and precedent)

Term Limits for the Supreme Court: Life Tenure Reconsidered, 29 **Harvard Journal of Law & Public Policy** 769-877 (2006) (with James Lindgren)

The Tradition of the Written Constitution: Text, Precedent, and Burke, 57 **Alabama Law Review** 635- 687 (2006)

The President, the Supreme Court, and the Founding Fathers: A Reply to Professor Ackerman, 73 **University of Chicago Law Review** 469-485 (Winter Issue 2006)

The Terri Schiavo Case: In Defense of the Special Law Enacted by Congress and President Bush, 100 **Northwestern University Law Review** 151-170 (2006).

Term Limits for the Supreme Court: Life Tenure Reconsidered, (with James Lindgren) in **Reforming the Court: Term Limits for Supreme Court Justices** (Roger C. Cramton & Paul D. Carrington eds. 2006)

The Supreme Court and Foreign Sources of Law: Two Hundred Years of Practice and the Juvenile Death Penalty Decision, 47 **William and Mary Law Review** 743-909 (2005) (with Stephanie Zimdahl)

The Unitary Executive in Historical Perspective, published in **the Administrative and Regulatory News** (2005) (with Christopher Yoo)

The Libertarian-Lite Constitutional Order and the Rehnquist Court, 93 **Georgetown Law Journal** 1023-1060 (2005) (Book Review)

The Originalist and Normative Case Against Judicial Activism: A Reply to Professor Randy Barnett, 103 **Michigan Law Review** 1081-1098 (2005) (for annual book review issue)

The Unitary Executive During the Modern Era: 1945-2004, ***Iowa Law Review*** *(2005) (with Christopher S. Yoo and Anthony Colangelo)*

The Congressional Roots of Judicial Activism, 20 **Journal of Law and Politics** 577-593 (2004)

The Unitary Executive During the Third Half-Century: 1889-1945, 80 **Notre Dame Law Review** 1-109 (2004) (with Christopher S. Yoo and Laurence Nee)

Laurence, the Fourteenth Amendment, and the Supreme Court's Reliance on Foreign Constitutional Law: An Originalist Reappraisal, 65 **Ohio State Law Journal** 1097-1131 (2004)

Introduction to the book, **Presidential Leadership: Rating the Best and Worst in the White House** (Simon and Schuster 2004)

Separation of Powers and the Rehnquist Court: The Centrality of Clinton v. City of New York, 99 **Northwestern University Law Review** 77-87 (2004)

The Historical Origins of the Rule of Law in the American Constitutional Order, 28 **Harvard Journal of Law and Public Policy** 273-280 (2004)

The Unitary Executive During the Second Half Century, 26 **Harvard Journal of Law and Public Policy** 667-891 (2003) (with Chris Yoo)

"*A Political Question*", chapter in **Bruce Ackerman, ed., Bush v. Gore: The Question of Legitimacy** (2002)

Rating the Presidents of the United States, 1789-2000: A Survey of Scholars in Political Science, History, and Law, 18 **Constitutional Commentary** 583-605 (2001) (with James Lindgren)

The Virtues of Presidential Government: Why Professor Ackerman is Wrong to Prefer the German to the U.S. Constitution, 18 **Constitutional Commentary** 51-104 (2001)

Federalism and the Rehnquist Court: A Normative Defense, **Annals, American Association of Political and Social Science** 24-36 (March 2001)

Foreword: Advice to the Next Conservative President of the United States, 24 **Harvard Journal of Law and Public Policy** 369-380 (2001)

The Revitalization of Democracy in the New Millenium, 24 **Harvard Journal of Law and Public Policy** 151-54 (2000)

We Are All Federalists, We Are All Republicans: Holism, Synthesis, and the Fourteenth Amendment, 87 **Georgetown Law Journal** 2273-2305 (1999) (Book Review)

Caesarism, Departmentalism, and Professor Paulsen, 83 **Minnesota Law Review** 1421-1434 (1999)

The President, the Supreme Court, and the Constitution: A Brief Positive Account of the Role of Government Lawyers in the Development of Constitutional Law, 61 **Law & Contemporary Problems** 61-82 (1998)

Textualism and the Countermajoritarian Difficulty, 66 **George Washington University Law Review** 1373-1394 (1998)

Foreword: The Structural Constitution and the Countermajoritarian Difficulty, 22 **Harvard Journal of Law & Public Policy** 3-9 (1998)

"The Era of Big Government is Over", 50 **Stanford Law Review** 1015-1053 (1998) (Book Review)

"An Agenda for Constitutional Reform" **in Eskridge and Levinson, Constitutional Stupidities, Constitutional Tragedies 22-27 (1998).**

The Unitary Executive During the First Half-Century, 47 **Case Western Reserve Law Review**1451- 1561 (1997) (with Christopher S. Yoo)

Relimiting Federal Judicial Power: Should Congress Play a Role?, 13 **Journal of Law and Politics** 627, 629-638 (1997)

The Tradition of the Written Constitution: A Comment on Professor Lessig's Theory of Translation, 65 **Fordham Law Review** 1435-1456 (1997)

The Crisis in Constitutional Theory, 83 **Virginia Law Review** 247-267 (1997) (Book Review)

Introductory Remarks, Symposium on Originalism, Democracy, and the Constitution, 19 **Harvard Journal of Law and Public Policy** 239-242 (1996)

"A Government of Limited and Enumerated Powers": In Defense of United States v. Lopez, 94 **Michigan Law Review** 752-831 (1995)

The Political Question of Presidential Succession, 48 **Stanford Law Review** 155-175 (1995)

Some Structural Consequences of the Increased Use of Ethics Probes as Political Weapons, 11 **Journal of Law and Politics** 521-536 (1995)

Some Normative Arguments for the Unitary Executive, 48 **Arkansas Law Review** 23-104 (1995)

The President's Power to Execute the Laws, 104 **Yale Law Journal** 541-665 (1994) (with Saikrishna B. Prakash)

Political Parties as Mediating Institutions, 61 **University of Chicago Law Review** 1479-1533 (1994)

One Person, One Office: Separation of Powers or Separation of Personnel?, 79 **Cornell Law Review** 1045-1157 (1994) (with Joan L. Larsen)

The Vesting Clauses as Power Grants, 88 **Northwestern University Law Review** 1377-1405 (1994)

Thayer's Clear Mistake, 88 **Northwestern University Law Review** 269-277 (1993)

Foreword: Two Visions of the Nature of Man, 16 **Harvard Journal of Law and Public Policy** 1-5 (1993) (with Gary Lawson)

Equity & Hierarchy: Reflections on the Harris Execution, 102 **Yale Law Journal** 255-279 (1992) (with Gary Lawson)

Foreword: The Constitution of Responsibility, 77 **Cornell Law Review** 955-958 (1992) (with Gary Lawson)

Foreword: Prospects for the Rule of Law, 21 **Cumberland Law Review** 427-430 (1990-91) (with Gary Lawson)

The Structural Constitution: Unitary Executive, Plural Judiciary, 105 **Harvard Law Review** 1153-1216 (1992) (with Kevin H. Rhodes)

Note, *A Madisonian Interpretation of the Equal Protection Doctrine*, 91 **Yale Law Journal** 1403-1429 (1982)

Chromatographic Separation of the C(1), C(1a), and C(2) Components of Gentamicin and the Assessment of their Individual Binding to Serum Proteins, 73 **J. Pharm. Sci.** 1836 (1984) with William C. Griffiths, James F. Belliveau, Charlene L. Bensted, and Israel Diamond).

Other Publications

2017	Book Review for **The Washington Post** on **Scalia Speaks: Remembering Justice Scalia eds. Ed Whelan & Chris Scalia**
2017	Op-ed for **The Hill** on *Jeff Sessions and the Speech or Debate Clause.*
2017	Op-ed for **The Hill** on Why George Conway should be named Solicitor General
2017	Op-ed for **The Hill** on Why President Trump's Criticism of judges is not unusual behavior for a president.
2017	Op-ed for **The Hill** praising President Trump's Cabinet and Selection of Supreme Court nominee Neil Gorsuch
2016	Essay remembering Justice Scalia Upon his Death **USA Today**, February 13th. I also did a radio remembrance interview with WBEZ, the NPR station in Chicago, and for Jeff Rosen and the National Constitution Center together with Harvard Law School Professor Lawrence Lessig.
2013	Book Review for the **Wall Street Journal** of **Robert H. Bork, Saving Justice: Watergate, the Saturday Night Massacre, and Other Adventures of a Solicitor General** (2013)
2008-2012	Blogged for *The Arena* on **Politico.com**
2008	*Jury's Must Consist of Twelve Not Six Jurors*, **The Wall Street Journal** (with Michael Saks)
2008	*Obama's Philosophy of Judging*, **The Wall Street Journal**
2008	*Obama is Too Young to be President*, **The Chicago Tribune**

2008	*Senator McCain for President*, **The Wall Street Journal**, (with John McGinnis)
2007	*The Case for Originalism*, **The Wall Street Journal**.
2005	*Don't Split the Baby!,* **The Wall Street Journal**, October 22, 2005, at A-7.
2005	*A Document Request for Senator Schumer*, **The Daily Standard**, July 28, 2005.
2005	*Minority Rule?,* **The Weekly Standard**, May 9, 2005.
2005	*Supreme Gerontocracy*, **The Wall Street Journal**, April 8, 2005.
2003	*Pirates We Be*, **The Wall Street Journal**, May 2003.
2003	*Stop Talking? Yes,* **Legal Times**, May 12, 2003.
2003	*The Timing Game that Justices Play*, **Los Angeles Times**, January 13, 2003 (with Ilya Somin).
2002	*Free Speech Missing at the Supreme Court*, October 8, 2002 (with Akhil Amar).
2002	*The Supreme Court's Unfree Speech*, **The New York Times**, October 5, 2002 (with Akhil Amar).
2002	*Term Limits for the High Court,* **The Washington Post**, August 9, 2002 (with Akhil Amar).
2000	*Ranking the Presidents*, **The Wall Street Journal**, November 16, 2000 (with James Lindgren).
1998	*Impeach Clinton Later Rather Than Sooner*, **The Wall Street Journal,** November 19, 1998.
1997	*A Constitutional Revolution*, **The Wall Street Journal,** July 10, 1997.
1996	*Out of Order: Clinton's Court and Its Assault on Justice*, 79 **Policy Review** 14 (1996).
1996	*Remarks Upon Presenting a Portrait of Judge Robert H. Bork to the United States Court of Appeals for the District of Columbia Circuit*, __ F.3d ___ (D.C. Cir.1996) (en banc).

1992	*Who Speaks for the Constitution? The Debate Over Interpretive Authority*, published by **The Federalist Society** (helped to design and compile a collection of speeches and articles on the Departmentalism Debate)
January 1990	*Designer Sentences and the Justice System*, **The American Enterprise** (Magazine Article)
1986	*The Great Debate: Interpreting Our Written Constitution*, published by **The Federalist Society** (designed and helped edit collection of speeches on constitutional interpretation).

ACTIVITIES:

1981-present	**Chairman of the Board of Directors and one of three co-founders of The Federalist Society**. Designed numerous symposia on legal academic topics. Served as a founding member of the Society's Board of Directors.
2014	**Member**, Executive Committee, AALS Federal Courts Section
2004-05	**Chairman, Section on Constitutional Law, American Association of Law Schools.** Set up a panel on "Originalism and the Problem of Precedent" for the AALS's annual meeting in San Francisco.
1994	**Contributing Editor** to The Court TV Cradle-to-Grave Legal Survival Guide, published by the editors of Court TV and the American Lawyer.
1982-1983	**Note & Topics Editor**, Yale Law Journal, New Haven, CT. Administered the Journal's student notewriting program as one of the three most senior officers.
1982	**Panelist** for The Tyranny of the Status Quo, a television show hosted by **Milton Friedman**.
1978	**President, Yale Political Union**, New Haven, CT.

SELECT SPEECHES, PRESENTATIONS, HONORS:

February 2018	Faculty Workshop at Northwestern Pritzker Schoool of Law on *Born Free and Equal: Individual Rights Under State Constitutions in 2018, 1868, and 1791* (with Hannah M. Begley; Katharine L. Dore; and Sarah E. Agudo)
February 2018	Debated Professor Andrew L. Koppelman on the Declaration of Independence – Northwestern Pritzker Law School Book Debates. Gave a major speech on the importance of the Declaration of Independence to American Constitutional Law
December 2017	Delivered a major paper on *Law and Originalism* to **Law and Time Conference, Herzelia-IDC, Tel-Avieiv, Israel Conference**
October 2017	Spoke at the Dedication of the Yale Law School Faculty Lounge to Judge Guido Calabresi
September 2017	Spoke on *The Modern Administrative State*, **Harvard Law School Federalist Society Chapter.** Debated Professor Jack M. Beermann of the B.U. faculty
September 2017	Participant in Yale Law School's Global Constitutionalism Seminar with Supreme Court and Constitutional Court Justices from all over the world
February 2017	Gave a major speech on *The Historical Mistreatment of African Americans from Colonial Times to the Present* at a joint meeting of the Northwestern chapters of the Federalist Society and of Black Law Students Association (BLSA).
February 2017	Introduced Justice Clarence Thomas at a conference at Yale Law School being held to commemorate his 25th year as an associate justice on the U.S. Supreme Court
January 2017	One of five panelists at an AALS Showcase panel on the 2016 Presidential Election and Transition held at the AALS's annual meeting in San Francisco, CA.
December 2016	Spoke to a joint meeting of the Yale Political Union and the Yale Law School Federalist Chapter on *Theories of Constitutional Interpretation*
November 2016	Spoke at a conference held by the Yale University Political Science Department commenting at great length on a faculty member's book on *The Political Thought of President John Adams.*
November 2015	Moderated a Federalist Society Debate between Yale Law Professor Akhil Amar and Gerald Walprin on whether the Fourteenth

	Amendment confers birthright citizen on all children born in the United States.
September 2015	Cato Constitution Day endowed B. Kenneth Simon Lecture. I spoke on "Liberty and Originalism in Constitutional Law."
May 2014	Panelist for **Northwestern Law Review** annual conference where I presented a paper on whether Institutional Design Makes a Difference?
April 2014	Debated Professor Ben Justice on the topic "Are School Vouchers Constitutional?" at a Federalist Chapter event in Chicago
January 2014	Panelist and speaker on AALS Annual Meeting Panel on Faculty and Student Co-Scholarship
January 2014	Panelist and speaker on AALS Annual Federal Courts Panel. Presented a paper on *"The Gay Marriage Cases and Federal Jurisdiction"*
December 2013	Janus Forum Lecture to undergraduates at Brown University on "The U.S. Senate and Filibuster Reform"
December 2013	Debated Professor Ben Justice on the topic "Are School Vouchers Constitutional?" for the Yale Law School Workshop series on Law and Religion at Yale Law School
September 2013	Moderated a Constitution Day Debate held by the Political Theory Project at Brown University on "Should Race be a Factor in College Admissions?" between Professor Randall Kennedy of Harvard Law School and Mr. Stuart Taylor
June 2013	Debated Northwestern Political Science Professor Karen Alter on the Treaty Power in Comparative Constitutional Law before the Chicago Bar Association
May 2013	Panelist Discussing **Corey Brettschneider, When the State Speaks** (Princeton University Press 2012) before the Law and Society Annual Convention
April 2013	Moderated a panel at a conference held at Harvard Law School by the Federalist Society Chapter there on ideological discrimination in law school faculty hiring
April 2013	Federalist Society Teleforum held *In Memoriam: Robert H. Bork*

March 2013	Tribute to Professor Marshall Shapo at Northwestern University School of Law book conference
February 2013	Faculty Workshop, Northwestern University School of Law, Originalism and Brown v. Board of Education
January 2013	Debated Brown University Professor John Tomasi before the Yale Law School Federalist Chapter on his new book **Free Market Fairness**
December 2012	Debated before the Rhode Island Bar Association annual meeting on a review of last year's Supreme Court decisions and a preview of the coming term
December 2012	Debated Professor Akhil Amar on *NFIB v. Sebelius* before the Yale Law School Federalist Chapter.
December 2012	Debated Professor Akhil Amar before the Yale Political Union on the topic: "Should American Federalism be Retained?"
November 2012	Panelist at Federalist Society discussion of Fourth Circuit Judge J. Harvery Wilkinson's new book **Cosmic Constitutional Theory: Why Americans are losing their Inalienable Right to Self Governance**
November 2012	**William Howard Taft Memorial Lecture**, University of Cincinnati School of Law
October 2012	Commentator at **Columbia Law School** book symposium for a new book on Administrative Law which is being written by Professor Phillip Hamburger
April 2012	Panelist at **Columbia Law School** one day symposium on *Burkean Constitutionalism* along with U.S. Supreme Court Justice Samuel Alito
April 2012	Spoke to the student group called the Janus Forum at **Brown University**
January 2012	Panelist at **Northwestern University School of Law** program on the Equal Rights Amendment
December 2011	Testified in French and took questions in English before members of **the French Senate** on why France ought to prefer having one Supreme Court instead of three, as it effectively has now
November 2011	Presented my paper on "*The Number of States and the Economics of American Federalism*" at the **Political Philosophy Faculty Workshop** at **Brown University**

May 2011	Panelist at a **Northwestern University School of Law Law Review** conference on "The Legacy of Justice John Paul Stevens." I gave the principal introduction of Justice Stevens.
April 2011	Principal Lecturer at the biannual meeting of the European Sovereignty Network in Vienna, Austria. Delegates present from most countries in Eastern and Central Europe
April 2011	Keynote Speaker at the Annual Banquet of the Boston University School of Law Federalist Chapter and recipient of their William Rehnquist prize
December 2010	Participant in exchange of ideas between **Justice Samuel Alito** and **the French Constitutional Court** and the **Minister of Justice**, Paris, France
November 2010	Panelist and Moderator at Annual Lawyer's Convention of the Federalist Society discussing the advantages and disadvantages of direct democracy. Others on the panel were Richard Epstein, William Eskridge, Thomas Merrill, and Robert Cooter.
February 2010	Faculty Workshop on "The Number of States and the Economics of Federalism" at Roger Williams Law School
September 2009	Led a Public Conversation at **Northwestern Law School** with Justice Ruth Bader Ginsburg for an audience of 750 people
February 2009	Panelist on Whether the American System of Separation of Powers Ought to be Exported to Other Countries, Federalist Society Conference at the Yale Law School
February 2009	Concluding Remarks, Conference on my book with Christopher S. Yoo, **The Unitary Executive: Presidential Power from Washington to Bush** at the University of Pennsylvania Law School
November 2008	Panelist on the Scope of Congress's Power Under Section 5 of the Fourteenth Amendment, at the University of Pennsylvania Law School, Annual Faculty Conference of the American Constitution Society
October 2008	Panelist on Presidential Power, at the University of Minnesota Law School, Annual Law Review Conference

April 2008 Commentator at Northwestern faculty conference on Originalism.

January 2008 Judged and asked lots of questions at Moot Court of the Seattle Schools case as part of the university wide tribute for Martin Luther King day.

November 2007 Panelist at Twenty-Fifth Anniversary Federalist Society National Lawyers Convention, which addressed the subject of American Exceptionalism. I planned and designed the symposium.

September 2007 Addressed numerous academic questions growing out of my research to Justice Antonin Scalia at two-day mini course, which he taught on "The Separation of Powers" for the Federalist Society.

June 2007 Welcoming Remarks and participated as a Panelist at a Federalist Society symposium Festschrift for Judge Robert H. Bork, which I helped organize. I designed the conference program.

April 2007 Debated Professor Andrew Koppelman on "Text v. Precedent in Constitutional Law" at **Northwestern** Federalist Society event.

April 2007 Scheduled to debate Professor Andrew Koppelman on "Text v. Precedent in Constitutional Law" at **Northwestern** Federalist Society event.

February 2007 Debated former Dean Robert Bennet on "American Exceptionalism an the Supreme Court's citation of Foreign Law at **Northwestern** Comparative Law Society event.

February 2007 Debated University of Chicago Law professor David Strauss on "Text v. Precedent in Constitutional Law" at **the University of Chicago Law School** for a Federalist Society event.

January 2007 Moderated an academic panel discussion at **Northwestern** on Supreme Court Law Clerks. Presented and prepared a short paper on this topic, which I will eventually publish.

November 2006 Delivered a Tribute to Justice Antonin Scalia at the annual Lawyer's Division Conference of the Federalist society on the occasion of the twentieth anniversary of Scalia's appointment to the Supreme Court.

October 2006 Presented a paper on "The War on Terror" to the **New England School of law** Federalist Society Chapter.

October 2006	Gave a talk on "The War on Terror and the Constitutionality of Jurisdiction Stripping Bills" to the 50th Reunion panel of the Yale Law School Class of 1956.
October 2006	Panelist at **Yale Law School** alumni weekend showcase panel on "Is the Separation of Powers Breaking Down?" Other panelists were Bruce Ackerman, Norman Ornstein, and Pam Karlan.
October 2006	Presented a paper on "Text v. Precedent in Constitutional Law" to the **Yale Law School** Federalist society Chapter.
September 2006	Panelist at **Harvard Law School** Federalist Society panel on "A Five Year Retrospective on September 11, 2001." Other panelists were Harvard professors Lawrence Tribe and Charles Fried.
August 2006	**Northwestern** faculty workshop on "American Exceptionalism and the Supreme Court's Practice of Relying on Foreign Law."
August 2006	Presented a paper on "The Hamdan Case, the Unitary Executive, and the Constitutionality of Jurisdiction Stripping Bills: A Textualist Response to Justice Scalia" at **Northwestern's** Faculty Scholarship Day.
June 2006	Presented "The President: Lightning Rod or King?" at a faculty workshop at **Northwestern**.
April 2006	P**anelist** discussing American Exceptionalism and the Supreme Court's Reliance on Foreign Law at a major symposium at **Boston University School of Law** hosted by the **B.U. Law Review**.
March 2006	P**anelist** at a conference on Executive Power at **Yale Law School** sponsored by the **Yale Law Journal**. Presented paper on "The President: lightning rod or King?"
February 2006	**Panelist** at **Columbia Law School** annual student symposium of the Federalist Society. Spoke on American Exceptionalism and the Supreme Court's Reliance on Foreign Sources of Law along with Judge Frank Easterbrook, Judge William Pryor, Professor Vicki Jackson, and Professor Gerald Neuman.
November 2005	**Debated** B.U. Professor Ward Farnsworth at **Harvard Law School** event of the Harvard Federalist Chapter on term limits for Supreme Court Justices. Debated moderated by Professor Einer Elhauge of Harvard

November 2005	**Moderated** a debate between Cass Sunstein and Charles J. Cooper on the future direction of the Supreme Court at the annual Lawyer's Division conference of the Federalist Society
November 2005	**Moderated and spoke** on a panel on text and precedent at the annual Lawyer's Division Convention of the Federalist Society (panelists included Akhil Amar, Thomas Merrill, David Strauss, and Randy Barnett)
October 2005	**Presented** a paper co-authored with David Presser '07 on the case for reinstituting circuit riding by Supreme Court justices at a symposium held by the law review at the **University of Minnesota Law Review**
October 2005	**Debated** Columbia University Professor Thomas Merrill on the subject of text versus precedent in constitutional law at a Federalist Society chapter event at **Columbia Law School**
September 2005	**Commentator** at a forum at **Yale Law School** discussing Bruce Ackerman's newly published book **The Failure of the Founding Fathers**
September 2005	**Presented** at a faculty workshop at **George Mason University School of Law** a paper co-authored with James Lindgren on term limits for Supreme Court justices
September 2005	**Panelist** advocating term limits for Supreme Court justices at the annual meeting of the **American Political Science Association** in Washington, D.C. Co-authored paper with James Lindgren
April 2005	**Presented** my paper with James Lindgren advocating term limits for Supreme Court justices at **Duke University School of Law** conference on "The Supreme Court Renewal Act."
February 2005	**Moderator,** debate between Professors Alan Dershowitz and David Rivkin on "Preemptive Wars". Annual Federalist Society student symposium at **Harvard Law School.**
January 2005	**Moderator and Presenter**, Panel on "Originalism and the Problem of Precedent" with Akhil Amar, Randy Barnett, Tom Merrill, Mike Paulsen, and David Strauss. AALS Annual Meeting.
January 2005	**Moderator**, Debate Between Professors Randy Barnett and Thomas Merrill on Raich v. Ashcroft for annual Federalist Society Law Professors Conference.

December 2005	**Presenter** at **Harvard Law School** Public Law Colloquium run by Professors Richard Fallon and Heather Gerken. Presented my Book "A History of the Unitary Executive: Executive Branch Practice from 1789 to 2004.
November 2005	**Mooted** Professor Randy Barnett at **Harvard Law School** in anticipation of his Supreme Court oral argument in Raich v. Ashcroft.
September 2005	**Faculty Workshop, Boston College School of Law** on my Book "A History of the Unitary Executive: Executive Branch Practice from 1789 to 2004.
July 2004	**Panelist**, Supreme Court Review Panel of the Virginia Bar Association, held at the Homestead with Professors A. E. "Dick" Howard, Akhil Amar, John Jeffries, and Nadine Strossen.
May 2004	**Keynote Speaker**, Annual Banquet of the Harvard Federalist Society chapter and of the Harvard Journal of Law and Public Policy.
March 2004	**Panelist**, Thomas M. Cooley School of Law Conference on the use of foreign constitutional law by the U.S. Supreme Court.
January 2004	**Panelist**, Federalist Society Faculty Conference for panel on "Transitions to Originalism". Also **Moderator** for lunch time panel on Gay Marriage with Bill Eskridge, Maggie Gallagher, Martha Fineman, and Robin Wilson.
December 2003	**Spoke** to the Yale Law School Federalist Chapter on my work with David Cook on sovereign immunity described above.
November 2003	**Panelist** Boston Lawyer's Chapter program on the judicial confirmation mess.
August 2003	**Panelist** for panel on "Originalism", First Annual Conference of the American Constitution Society with Reva Siegal and Robert Post.
May 2003	**Testified** before the Subcommittee on the Constitution of the Senate Judiciary Committee, special hearing called to address the problem of filibusters of judges.
April 2003	**Presented** a paper on the historical origins of the rule of law to the Philadelphia Society.

June 2002	**Panelist**, Fourth Circuit Judicial Conference Supreme Court Roundup, The Greenbriar, West Virginia.
April 2001	**Participant in a Yale Law School Symposium on Bush v. Gore.**
January 2001	**Participant in a Northwestern Law School Symposium on Bush v. Gore.**
December 2000	**Panelist, Welcoming Conference for the Florida State Legislature.**
December 2000	**Debated Bruce Ackerman** at Yale Law School on presidential versus parliamentary forms of government. A Federalist Society event.
March 2000	**Moderator for Roundtable Discussion,** with Professors Charles Fried, Richard Epstein, Lino Graglia, William Eskridge, Richard Parker, and Akhil Amar on Revitalizing Democracy, **Federalist Society Conference at Harvard Law School.**
November 1999	**Presented Work in Progress, University of Virginia School of Law Conference on Comparative Constitutional Law.**
September 1999	**Panelist -- College of William and Mary, Marshall-Wythe School of Law,** Supreme Court Preview Conference, 1999 Term.
April 1999	**Moderator, Federalist Society Conference at the University of Chicago School of Law.**
October 1998	**Panelist – University of Minnesota School of Law, Conference on the Twenty-Fifth Anniversary of United States v. Nixon, 418 U.S. 683 (1974).**
October 1998	**Panelist – The Congressional Roots of Judicial Activism, API Conference hosted by Professors Christopher Wolfe and Robert George.**
November 1997	**Faculty Workshop,** The Structural Constitution and Judicial Review**, Harvard Law School.**
Ocober 1997	**Presented a Major Paper on "The Structural Constitution and Judicial Review", Second Annual Conference on the Economics of Federalism held by the Italian Yale Law School Alumni Association in Sienna, Italy.**

April 1997	**Presented a Major Paper on "The Unitary Executive During the First Half Century" (with Christopher S. Yoo), Case Western Reserve University Law School Conference on the Presidency**.
January 1997	**Named by The American Lawyer as one of the 45 most important public sector lawyers under the age of 45.**
November 1996	**Panelist, Relimiting Federal Judicial Power: Should Congress Play a Role?, 1996 Federalist Society Lawyers Division Symposium.**
September 1996	**Commentator and Participant, Conference on Originalism and Fidelity in Translation, Fordham University School of Law.**
June 29, 1996	**Panelist, Roundup of the U.S. Supreme Court's 1995-96 Term -- Sponsored by the Judicial Conference of the United States Court of Appeals for the Fourth Circuit and televised live on C-Span.**
April 25, 1996	**Panelist, Federalism and the Courts, Heritage Foundation Resource Bank Meeting**, held on April 25th in Chicago, IL.
April 19, 1996	**Presented** a portrait of Judge Robert H. Bork to an en banc session of the U.S. Court of Appeals for the D.C. Circuit with Justices Clarence Thomas and Ruth Bader Ginsburg joining the Court especially for that session. I gave the portrait to the Court on behalf of Judge Bork's former law clerks and a number of his friends.
February 1996	**Faculty Workshop**, Federalism and Judicial Review, Constitutional Law Colloquium, N**ew York University School of Law**, New York, NY.
December 1995	**Participant**, Conference on Economic Liberties and the Slaughterhouse Cases, **Institute for Justice**, Monterey, California.
November 1995	**Faculty Workshop**, "A Government of Limited and Enumerated Powers": In Defense of United States v. Lopez, **Benjamin N. Cardozo School of Law, Yeshiva University**, New York, NY.
November 1995	**Faculty Workshop**, "A Government of Limited and Enumerated Powers": In Defense of United States v. Lopez, **University of Virginia School of Law**, Charlottesville, VA
September 1995	**Panelist**, Federalism and Judicial Review, Conference on Federalism, **The Heritage Foundation**, Washington, D.C.

July 1995	**Panelist**, Originalism and Legal Scholarship, **American Association of Law Schools ("AALS") New Law Professors Conference**, Washington, D.C.
April 1995	**Welcoming Remarks**, Originalism, Democracy, and the Constitution, **Fourteenth Annual National Student Symposium of the Federalist Society**, Northwestern University School of Law, Chicago, IL.
February 1995	**Panelist**, Symposium on Partisan Influences on Ethics Investigations, sponsored by the Journal of Law and Politics, **University of Virginia School of Law**, Charlottesville, VA.
August 1994	**Participant**, **International Congress of Comparative Lawyers**, Athens, Greece.
April 1994	**Presented a principal paper on the Presidency at the University of Arkansas, Fayetteville, Leflar Law Center's Conference on the Presidency**. I also served as **one of three Judges for the Law School's annual Moot Court final competition**, along with former White House Counsel Bernard Nussbaum and Yale Law School Professor Akhil Amar.
April 1994	**Presented a portrait of Judge Robert H. Bork to the Yale Law School** on behalf of a group of Yale Law School alumni who donated funds to have the portrait painted.
March 1994	**Judged** two first year moot court competitions at the **University of Chicago School of Law** with Professors Richard Epstein and Michael McConnell.
October 1993	**Faculty Workshop**, One Person, One Office: Separation of Powers or Separation of Personnel?, **Boston University School of Law**.
October 1993	**Organized** (on behalf of **the Center for Democracy**) a two day private visit to Washington, DC of President Boris Yeltsin's **Justice Minister and of the Chief Justice of Russia's highest commercial court**. The visit concluded with a lunch reception at the Supreme Court hosted by **Justices Antonin Scalia and Ruth Bader Ginsburg**.
April 1993	**Panelist**, SYMPOSIUM One Hundred Years of Judicial Review: The Thayers Centennial Symposium, **Northwestern University School of Law**, Chicago, IL

November 1992	**Panelist**, Discussion of the Robert Alton Harris Execution, Equity and Hierarchy: Reflections on the Harris Execution, **Yale Law School**, New Haven, CT.
August 1991	**Commentator** on a paper delivered by Professor William E. Nelson on The Fourteenth Amendment, **American Historical Association, Pacific Coast Branch**, Kona Coast, Hawaii.
August 1991	**Panelist**, Federalism and Constitutional Reform, Conference on Federalism, Constitutional Law, and the Environment, sponsored by **the Center for Democracy, President Boris Yeltsin and the Government of the Russian Federation, and The Federalist Society**, Moscow, Union of Soviet Socialist Republics (U.S.S.R.).
October 1990	**Participant, Conference on Constitutional Change** in Hungary, Czechoslovakia, and Poland, sponsored by **the Center for Democracy**, Budapest, Hungary.

LAW SCHOOL COMMITTEE SERVICE:

2017	On three-person dissertation committee for Pablo Contreras's SJD dissertation, which was approved.
2013	Chair, Faculty Appointments Committee Subcommittee
2008-09	Member, Committee on the Intensive Semester
2007-08	Chair, Tenure Committee for Jide Nzelibe
2008	Member, Faculty Conference Committee
2003-07	Member, Public Law Subcommittee of the Faculty Appointments Committee
2001-10	Chair, Supreme Court Clerkships Committee
2010-11	Member, Supreme Court Clerkship Committee
2006-07	Chair, Promotion Committee for Professor Jide Nzelibe
2006-07	Member, Curriculum Committee

2005	Chair, Tenure and Promotion Subcommittee for Professor Robert Sitkoff
2004-05	Faculty Advisory Committee to the Dean (appointed by the Dean)
2002-2003	Chair, Lateral Faculty Appointments Committee
2001-2002	Co-Chair, lateral Faculty Appointments Committee
1999-2000	Faculty Appointments Committee Chair
1998-99 and 1993-97	Faculty Appointments Committee Member
2001-2003	Faculty Advisory Committee to the Dean (appointed by the Dean)
1998-2000	Faculty Advisory Committee to the Dean (appointed by the Dean)
1997-98	Chair, Faculty Development Committee
1994-95	Faculty Advisory Committee to the Dean (elected by the faculty)
1991-95	Foreign Graduate Studies Committee
1991-94	Judicial Clerkship Committee
1994	Directed Senior Research Program for five months
1990-92	Faculty Advisor to the Jessup International Moot Court Team
1990-91	Admissions Committee

LAW SCHOOL COURSE SUBJECTS TAUGHT TO DATE:

1992-2017	**Constitutional Law I** taught every year **Northwestern or at Brown**

2007-2017	**Comparative Constitutional Law** taught every year at **Northwestern or at Brown or at Yale**
2012	Seminar on **Constitutional Theory, Brown University**
2012	Seminar on *"The Equal Protection Clause and Originalism"* at **Roger Williams University School of Law**
1990-2005	**Federal Jurisdiction** taught intermittently
1991-2007	**Comparative Law** taught intermittently
2009	**Administrative Law**
2011	**State Constitutional Law**
2002-2006	**Northwestern Constitutional Law Colloquium** (co-taught with Andrew Koppelman)
1994	**Constitutional Law II** (co-taught with Michael J. Perry)
1995	**Privatization Seminar** (co-taught with James Carroll)
1994	**Comparative Constitutional Law Seminar**
1992	**Antitrust**
1990-2012	**Supervised Roughly 35 Senior Research Projects by third year students** at Northwestern Law School.